

MICHIGAN DEPARTMENT OF CORRECTIONS <b>POLICY DIRECTIVE</b>	EFFECTIVE DATE 01/01/2002	NUMBER 01.04.135
SUBJECT LAW ENFORCEMENT INFORMATION NETWORK	SUPERSEDES DOM 2001-5	
	AUTHORITY MCL 28.211, et seq. Administrative Rule 28.5101, et seq. CJIS Security Policy	
	ACA STANDARDS NONE	
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**POLICY STATEMENT:**

Access to the Law Enforcement Information Network (LEIN) shall be controlled as set forth in this policy.

**POLICY:**

DEFINITION

- A. LEIN - An on-line system that provides authorized agencies with an integrated network for sharing information by interfacing with other criminal justice information sources, including the National Crime Information Center (NCIC).

GENERAL INFORMATION

- B. For purposes of this policy, Deputy Director includes the Administrator of the Office of Audit, Internal Affairs and Litigation (OAIAL) and the Administrator of the Bureau of Human Resources (BHR).
- C. The Criminal Justice Information Systems (CJIS) Policy Council is comprised of representatives of various government agencies related to law enforcement. The Director or designee serves as the Department's representative on the CJIS Policy Council. The CJIS Policy Council is responsible for establishing minimum standards for LEIN access sites and installation as well as approving agency applications for LEIN access. Originating agency identifiers (ORIs) are assigned for approved LEIN access sites, as necessary.
- D. The Department is approved to have LEIN access. This policy sets forth the requirements for employees accessing LEIN and requesting and/or receiving LEIN information. These requirements also apply to employees who are approved to access LEIN and request and/or receive LEIN information through a system in a non-Department facility (e.g., county jail). Employees violating this policy, including accessing LEIN or requesting and/or receiving LEIN information without authorization, may be subject to discipline as set forth in PD 02.03.100 "Employee Discipline" and/or denied use of LEIN. An employee who is no longer able to perform his/her job responsibilities as a result of being denied LEIN access may be terminated from employment or reassigned in accordance with Civil Service Commission rules and applicable collective bargaining unit agreements.
- E. LEIN operators shall access LEIN only as necessary to comply with Department policy (e.g., verification of eligibility for employment or to carry a firearm; verification of eligibility for placement on a prisoner's approved visitors list). Under no circumstances shall employees access LEIN or request and/or receive LEIN information for personal reasons.

LEIN OPERATORS AND REQUESTERS

- F. Each Deputy Director shall ensure employees are designated as LEIN operators for each LEIN access site in his/her respective area. Only LEIN operators are authorized to directly access LEIN. Each Deputy Director also shall ensure employees are designated to request LEIN information from LEIN operators as necessary. Only employees who require LEIN information in order to perform their job responsibilities shall be designated.

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- G. In accordance with PD 01.04.105 "Use of Department Computer Equipment, Software and Services", LEIN operators are required to sign a Security Agreement-Data Processing (CAJ-532) or, if designated as a LEIN operator prior to the effective date of this policy, an approved LEIN use agreement form prior to accessing LEIN.
- H. LEIN operators are required to be fingerprinted and cleared through a criminal history check prior to accessing LEIN. For new employees, the fingerprinting and criminal history check shall be completed as part of the employment screening requirements set forth in PD 02.06.111 "Employment Screening and Evaluation".
- I. LEIN operators must successfully complete LEIN training and pass certification tests required by the CJIS Policy Council within six months after being designated as a LEIN operator. Once certified, LEIN operators must successfully pass re-certification tests as required by the CJIS Policy Council. Employees authorized to request LEIN information from LEIN operators, and employees authorized to receive LEIN information in conjunction with their job responsibilities (e.g., Wardens, Transcase Processors), must successfully complete LEIN training related to the proper uses, distribution and disclosure of LEIN information before requesting or receiving LEIN information.
- J. LEIN operators shall ensure the accuracy, timeliness and quality of information they enter on LEIN. All entries shall be made in accordance with regulations set forth in the LEIN Operations Manual and NCIC Operations Manual.

#### TERMINAL AGENCY COORDINATORS/TRAINERS

- K. There shall be a terminal agency coordinator for the Electronic Monitoring Center, Field Operations Administration (FOA). Each Deputy Director shall ensure employees are designated as terminal agency coordinators for all other ORIs in his/her area of responsibility. An employee may be designated as the terminal agency coordinator for more than one ORI.
- L. Terminal agency coordinators shall be responsible for the following:
  - 1. Ensuring compliance with LEIN and NCIC policies and regulations.
  - 2. Coordinating audits of LEIN operations conducted by the Department of State Police.
  - 3. Providing LEIN training and testing required by the CJIS Policy Council in conjunction with the Office of Training and Recruitment, BHR.
  - 4. Immediately reporting any known violation of this policy through the appropriate chain of command to the Department's representative on the CJIS Policy Council for subsequent reporting to the Council.
  - 5. Providing technical support regarding LEIN use.
  - 6. Maintaining a current list of designated LEIN operators for each ORI in his/her respective area.
- M. The terminal agency coordinator for the Electronic Monitoring Center shall serve as the terminal agency coordinator trainer for Central Office. The Correctional Facilities Administration (CFA) and FOA Deputy Directors shall ensure terminal agency coordinator trainers are designated for their respective facilities/field offices. Terminal agency coordinator trainers shall attend terminal agency coordinator training offered by the Michigan State Police. In conjunction with the Office of Training and Recruitment, terminal agency coordinator trainers shall be responsible for training terminal agency coordinators in their respective areas regarding LEIN regulations and operations.

#### DISCLOSURE OF LEIN INFORMATION

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- N. LEIN information shall be disclosed only as necessary to comply with Department policy (e.g., preparation of Pre-sentence Investigation Reports). This includes providing an offender with information obtained from LEIN regarding outstanding warrants for his/her arrest. However, under no circumstances shall the actual LEIN printout or a copy of a LEIN printout be given to the subject of the LEIN inquiry or to anyone not authorized to receive LEIN information. Questions regarding the disclosure of LEIN information shall be directed to the Department's representative on the CJIS Policy Council through the appropriate chain of command.
- O. LEIN information shall not be transmitted to anyone via electronic mail (e-mail). LEIN information may be transmitted via facsimile machine only after the intended recipient has been verified as being authorized and present to receive the information.
- P. Information received from LEIN, including the date and reasons for which the LEIN check was performed, shall be appropriately documented. However, the actual LEIN printout shall be destroyed (e.g., shredded). Copies of LEIN printouts shall not be retained except for those used to prepare an offender's Pre-sentence Investigation Report, which may be retained until the offender is sentenced.
- Q. Disclosure in violation of Department policy which also is a violation of state law shall be referred for criminal prosecution.

#### OPERATING PROCEDURES

- R. Each Deputy Director shall ensure that procedures necessary to implement this policy directive are developed within 60 calendar days after its effective date.

#### AUDIT ELEMENTS

- S. A Primary Audit Elements List has been developed and will be provided to each Deputy Director, CFA Regional Prison Administrator, FOA Regional Administrator, Warden, and the Special Alternative Incarceration Program facility (SAI) Administrator to assist with self audit of this policy, pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

BM:OPH:12/11/01